

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DERECK JACKSON,)
Petitioner,)
)
v.) C.A. No. 04-12401-RCL
)
UNITED STATES OF AMERICA,)
Respondent.)

ORDER ON APPLICATION TO PROCEED IN FORMA PAUPERIS

On November 9, 2004, Dereck Jackson filed his pro se motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence by a person in federal custody. The motion was accompanied by an application to proceed in forma pauperis.

Because no fee is required for a Section 2255 filing, the Court will deny as moot Jackson's application to proceed in forma pauperis. See Rules Governing Section 2255 Proceedings for the United States Courts, Rule 3, Advisory Committee Notes 1976 Adoption ("There is no filing fee required of a movant under these rules.").

Accordingly, it is hereby

ORDERED, petitioner's Application to Proceed In Forma Pauperis is DENIED as MOOT.

SO ORDERED.

Dated at Boston, Massachusetts, this 30th day of November, 2004.

/s/ Reginald C. Lindsay
REGINALD C. LINDSAY
UNITED STATES DISTRICT JUDGE